

AMENDMENTS TO THE CLAIMS:

Please amend the claims, as indicated below. This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

1-4. (Canceled)

5. ~~The voice mail device as set forth in claim 1, further~~ A voice mail device,
comprising:

a first audio data storing section which stores ~~[[the]]~~ first audio data in
~~[[the]]~~ a first encoding format;

a second audio data storing section which stores ~~[[the]]~~ second audio data
in a second encoding format;

an encoding format determining section which communicates with ~~the~~
~~second~~ a first telephone terminal to determine an encoding format
of audio data;

an audio data selecting section which selects ~~[[the]]~~ audio data ~~stored in~~
~~one of said first and second audio data storing sections~~ from the
first and second audio data based on the determination by said
encoding format determining section;

a packet converting section which converts the audio data selected by
said audio data selecting section to an audio packet; and

a packet transmitting section which transmits to the first telephone
terminal the audio packet resulting from the conversion by said
packet converting section.

6. (Currently Amended) The voice mail device as set forth in claim 5, further comprising:

a packet receiving section which receives a first audio packet including the first audio data in the first encoding format and a second audio packet including the second audio data in the second encoding format,
wherein said first and second audio data storing sections store the first and second audio data included in the first and second audio packets received by said packet receiving section.

7. (Currently Amended) The voice mail device as set forth in claim 6, wherein said packet receiving section receives the first and second audio packets transmitted from a second telephone terminal.

8. (Currently Amended) The voice mail device as set forth in claim 6, wherein said packet receiving section receives the first and second audio packets originating in audio data recorded in a storage medium.

- 9-12. (Canceled)

13. (Currently Amended) ~~The voice mail communication method as set forth in claim 9, further~~ A voice mail communication method, comprising:

storing ~~[[the]]~~ first audio data in ~~[[the]]~~ a first encoding format;

storing ~~[[the]]~~ second audio data in a second encoding format;
communicating with ~~the second~~ a first telephone terminal to determine an
encoding format of audio data;
selecting ~~the stored audio data in one of the first and second encoding~~
~~formats~~ from the first and second audio data based on the
determined encoding format;
converting the selected audio data to an audio packet; and
transmitting the audio packet resulting from the conversion.

14. (Currently Amended) The voice mail communication method as set forth in claim 13, further comprising:

receiving a first audio packet including the first audio data in the first
encoding format and a second audio packet including the second
audio data in the second encoding format,
wherein the stored first and second audio data ~~in the first and second~~
~~encoding formats~~ are the first and second audio data ~~in the first and~~
~~second encoding formats~~ included in the received first and second
audio packets.

15. (Currently Amended) The voice mail communication method as set forth in claim 14, wherein the received first and second audio packets are transmitted from a second telephone terminal.

16. (Original) The voice mail communication method as set forth in claim 14,
wherein the received first and second audio packets originate in audio data
recorded in a storage medium.